

***United States Court of Appeals  
for the Second Circuit***



**SUPPLEMENTAL  
BRIEF**



UNITED STATES COURT OF APPEALS  
SECOND CIRCUIT  
UNITED STATES COURTHOUSE  
FOLEY SQUARE  
NEW YORK 10007

A. DANIEL FUSARO  
CLERK

PLEASE REFER TO THIS COURT'S  
DOCKET NUMBER IN ALL MATTERS

June 11, 1975

75-7054

Nathaniel Cooper

B P13

vs.

Guard Doyle Oglesby etc. et al.

Dear Sirs:

The Court has today handed down a decision in the  
above entitled cause *dismissing* the decision  
of the district court.

~~A copy of the opinion will be mailed to you tomorrow.~~

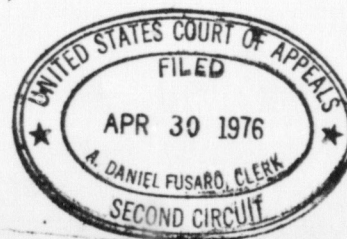
Additional copies of opinions may be obtained from  
this office in accordance with §0.17(7) of the rules of this  
Court supplementing the Federal Rules of Appellate Procedure.

Judgment has been entered today and a mandate will  
issue in accordance with Rule 41 of the Federal Rules of  
Appellate Procedure.

Your attention is directed to the provision of  
Rule 39(c) F.R.A.P. requiring the itemized and verified bill  
of costs, if any, to be filed within 14 days after entry of  
judgment, with proof of service.

Very truly yours,

A. DANIEL FUSARO  
Clerk



LAW DEPARTMENT  
CITY OF NEW YORK

APR 29 PM 4:23

860





*For Court*

*(1)*

*call back at 1 pm*

MEMORANDUM

October 15, 1975

LD-ADM-547

FROM: Stephen E. Gross - Law Assistant  
Supreme Court, Criminal Branch,  
First Judicial District

SUBJECT: Subpoena for minutes in 73 Civ. 2915

At 2:30 P.M. the law department was served with a subpoena to produce a transcript of arraignment minutes taken in part 1A2 of Kings County on December 19, 1972 in the Criminal Court of the City of New York.

I called the office of Judicial Services which is responsible for court reporter operations. They are located at 100 Centre Street (374-6216,7). Ms. Carlotta Rossella, the head of the office, was out for the day. Ms. Helene Stein, an assistant of Ms. Rossella's informed me that Mr. Cooper had come to her office on October 13, 1975. Ms. Stein called Mr. Chados the reporter involved and discovered that he had called in sick and Mr. Cooper was told that fact. Mr. Chados was not in court again today. Ms. Stein indicated that Mr. Cooper had stated that his mother had talked to Ms. Rossella about obtaining the minutes.

I have turned the subpoena over to Ms. Stein and asked her to tell Ms. Rossella to try to have the minutes produced as quickly as possible. I do not know when they will be prepared.

*Stephen E. Gross*  
Stephen E. Gross  
Law Assistant II  
New York State Supreme Court  
80 Centre Street  
(212) (374-6257)

Stephen E. Gross - Room 534  
STATE OF NEW YORK  
OFFICE OF COURT ADMINISTRATION  
NEW YORK CITY COURTS  
80 CENTRE STREET, NEW YORK, N.Y. 10013

For court also a copy of court DIS missing The  
decision of the district court order so  
June 11, 1975

This is The copy of Envelop

For Mr. Cooper

To Be Given To Judge when Case Called.

The Judge were so Biase at This  
Point I had To yell over The Calender Clerk To force  
Judge To Recieve Me mrandum  
Fo Stay of The Trial JUST as my Brief  
and Recent april papers indect

United State Court of appeal

Nathaniel Cooper

VS

Renee mody Counsel  
City of New York Corporation  
Counsel Dept of Social  
Services 330 Jay St.,  
Davis and Oglesby+

New York State  
City of New York }

Proof of  
Services

Docket 75 7635

On appeal from the United States District  
Court for the Southern District of New York  
Nathan Cooper being duly sworn according to Law  
deposes and says that he has upon this day Cause

To be To be served on Respondent by placing  
a copy of all papers and copy of att Stephen E  
Gross memorandum to a Duly authorized  
agent of Corporation Counsel

Sworn To me this — day of

1976

Respectfully  
Submitted

x

372 miller one  
Brooklyn N.Y. 11207

Notary Seal



United State Court of appeals

Nathaniel Cooper  
VS  
att Renee modry  
Corporation Counsel  
Dept of social service  
Davis  
Oglesby Super vicer Codsoul

New York State  
city of New York

affidavied of Complaint  
against Renee modry  
Remedies For Violation

of Civil Rights ~~13.4~~ acts or  
are Conduct causing  
deprivation

~~13.3~~ 13.3(2) Due process  
of Law Equal protection

1317. Damages, costs,  
and attorneys fees.

Complaint in General

37.

~~13.12~~

13.12(2)

Penalty and civil action for prevention  
of unlawful Practices

Plaintiff Up on this Day has Cause To  
Charge att For Corporation Counsel with Denie  
ing The Equal protection of the Law att Renee modry  
IS here by Charge under 18 U.S.C sections 241+242  
Conspiracy To Deprive Me of Due process of the Law  
and the Equal protection of the Law, By conspiring with  
the offices Comptroller, Now here on page 10 of  
said att Brief states, that plaintiff Did NOT charged  
Mrs Codsoul in Original Complaint File 2D  
Day of July 2-1973, at this point Plaintiff Request  
that the appeals Court Judges please Review Complaint  
and it will Reviel That The unname White Guard  
and unNamed Supervicer were in Caption Box  
of Refured Complaint File 2D day of July 1973. and she  
as well as well as unName White Guard were  
Refured To in Ever Paper File UNTL There Names were learned

3

Point To, Plaintiff have US Section 28 US.  
C.A.S.S 1331, on page 11 she states I did Not use  
that Section of the Law all the Court Need  
Do is Look at the attachment To Complaint  
File with Plaintiff Brief, Now To Set the Court  
Stright as well as the mrs modry Plaintiff  
Complaint Carrie these Sections of Law check  
Papers File To the Court of appeals Last year  
Feb 21, 75 May 1, 75 you well see 42 US C.A.  
1983. 1981. 1988 1985 (3) 1982 + 28 USC 1343, 1337

So plaintiff is Sick To all ways Read you Cant do this  
Under 42 USC A you Cant do that Under 1983, What  
In the Git Dam hell about the meny other  
Section other that 1983, Stop Trying To Under  
mind plaintiff, be Couse of it plaintiff Request  
a Sankshion of the Court, againts the attorney as  
She also claim plaintiff Refuse To File appendix  
yet as I said Last week in my memorandum She no  
Dam well I servied one with the Brief Filed Feb 9  
She appear To be another out Law att, Like  
here predicesery were and on The 18<sup>th</sup> Day of  
march 1974, Plaintiff File a Complaint To the Newyork  
Bar ass. and if Shed Better Be Care Full or She  
get the Same, understand



Plaintiff have Charge Mrs Codsoul with  
 Knowledge of the Murderous assault as  
 She did not send Letter - Stateing my Case  
 were Granted the Case ~~with~~ Warkler Refuse  
 the Letter not Before here she did not Stop the  
 Guard From Taking Me away, the District Court  
 Shall have Original Jurisdiction of the deprivation of  
 any right or privilege of a Citizen of the United States,  
 by any act done in furtherance of any Conspiracy  
 Mentioned in Section 1985 of Title 42 Civil Rights

13.7 For liability of State official as individual, under  
 1871 statute giving civil action for deprivation of Rights  
 Requirement that he must him self have Committed the  
 Specific Wrongfull act when Supervisor personally  
 Directs subordinate To Commit acts and aquiesces in  
 them he is Personally involved and is liable for his  
 own Conduct not on basis of Respondeat superior  
 but because of Direct personal involvement 42 USC  
 A § 1983, 50 P.S. Pa § 4102 (2) 4202 (a) 71 P.S. Pa § 66 this must be  
 so as some Supervisor had To order Oglesby  
 To keep me from intering a public Building after at  
 1130 am the Supervicer Told me To Return with 6.93 Letter  
 I would Be Granted welfare please check Orig-  
 inal Complaint when I Return he were not only  
 door I said in Complaint I believe he when To Report this act



Plaintiff charge Counsel with trying  
Now in This Late Date To Take Credit for serv-  
icing The Summons on The To Guards But  
The Dept of Social Service The Comptroller  
offices on Receiver of The Judge Bonsal  
order handed down on Dec 6. 1974 none of ~~Social~~  
Social Service To make Social.  
them Followed his order  
The Marshall Plaintiff had To go To The Marshall  
To Make and Effect Service That he order The  
Welfare Dept To do, Maybe Mrs Renee Modry would  
like To pay The \$17.50 For The Fee Bills I Recived  
Early in 1975 A.D. yes she is a usurping Lawyer Mrs  
Modry, and Concerning Section 1915 Title 28 U.S.C. (e) any  
Court of The United States may authorize The Commence-  
ment prosecution or defense of any suit  
action or proceeding civil or criminal, or appeal  
therein with out perpayment of fees and costs or  
security therefor, by a ~~poor~~ person who makes affid-  
avit That he is unable To pay such cost or give  
security therefor. Mrs Renee The District Judge  
Never Mail Plaintiff a Copy of The Reason a cor-  
-den To Civil Procedures why Plaintiff  
Could Not Recive Transcript he need Do  
so, To show grounds why Plaintiff under  
Rule 2.4 + Rule 39(c) F.R.A.P.

of Civil Procedure Why Plaintiff Was Not  
intitil To Sec. 28 U.S.C. 1915 adkins v. Dupont  
Co; 335 US 331 Plaintiff Requested  
The Judge Through a legal motion To show  
couse in November 1975 why Plaintiff Could Not  
Recieve minutes as Federal Court Repor-  
ter informed Me by phone so I payed here a  
visit she Told Me The Judge Say Two days  
of Trial Cost To much. I Will Not go Father as if  
I Can pay for Them by May 24, 76 will Do so, if  
NOT IT will or should NOT Prejudices Plaintiff in  
Eny way so I Request The appeals court  
Judges To penales The att herein Mrs Renee  
Madry before I File a complaint To Bar 43st  
I thank you All

Sworn To me This Day of  
April 1976

Stanley Cag  
Notary Seal

STANLEY M. CAGNEY  
Notary Public, State of New York  
No. 81-4521477  
Qualified in New York County  
Certificate filed in New York County  
Commission Expires March 30, 1978

Respectfully  
Submitted  
X Samuel Cooper  
372 miller ave  
Brooklyn NY 11207